

JUDGE JESSE FURMAN
SDNY

SDNY PROB SE OFFICE

May 15, 2023

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40 Foley Square
New York, NY 10007

2023 MAY 30 AM 11:01

RE: U.S. v. Schultz 17CR 548 (JMF)

Dear Judge Furman:

I write to notify the Court that I am once again out of paper, still do not have discovery, mail delays persist, and to yet again demand my right to a speedy trial.

This is my last piece of paper. I still cannot buy any from our newly restricted commissary, and my repeated requests for more paper fall on deaf ears.

Part of the problem is the same issue as the mail delay — our unit team only comes around maybe once per week. My outgoing mail sits with the CO for weeks at a time until unit team comes to collect it — once per week. My incoming mail sits for weeks until it is all delivered together — ~~after many~~ ^{after many} weeks I need paper or other items, but unit team never comes around to provide it.

The Court should order the unit team to perform their jobs and stop by every day to collect mail, distribute mail, and provide resources as needed. I also note for the Court that when Judge Crotty ordered the government to provide me mail contemporaneously, the government emailed legal ~~staff~~ ^{staff} here, who printed and provided me the mail on the same day — then once you took over, the government knew they had a colleague — a fellow prosecutor — so they stopped the contemporaneous mail deliveries knowing you would no longer make them do so. Yet, when the government wishes to do so, as with their plea deal before trial, they ensure mail delivery same day. The Court should order the government to revert back to Judge Crotty-era same-day mail delivery in lieu of the current Oregon-Trail style multiweek/month delivery delay.

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I still do not have any discovery to review. Instead of reviewing discovery and preparing for trial, I am twiddling my thumbs. I know the Court is not interested in following the Federal Rules, laws, regulations, or abiding by the Constitution, and instead follows ^{its} whims and desires ~~not to follow the law~~, but I note here for the Second Circuit that I have written this Court for a year requesting both access to discovery and a speedy trial as guaranteed by law; I once again request that the Court drop its whims and desires, and instead comply with federal law — Fed R. Crim. P. 16, The Speedy Trial Act, the Fifth, and Sixth Amendments. I request the ability to access and review discovery and for a speedy trial.

I realize the Court is filled with extreme hatred, bias, and prejudice against me as is abundantly clear from the record, but I once again demand the Court hold an evidentiary hearing for me to prove beyond all doubt that I have never copied any child pornography to my previous discovery laptop, never accessed any, and never violated any laptop rules. This can be proven in a very short hearing that the government fears and does not wish to take place. But the Court cannot declare me guilty and treat me with contemptuous hostility simply because it chooses to believe its fellow prosecutors without any adversary hearing as required by law. The Court may not believe it's possible for a federal prosecutor or the government to make a mistake — let alone engage in deliberate, malicious misconduct — God forbid! Yet it has ~~been~~ occurred before and is happening continuously. If this Court is unwilling or unable to set aside emotions, treat me with basic human decency, and follow federal laws and regulations, it should recuse itself so an unbiased professional can step to the plate.

At this point, it is not possible for me to represent myself or prepare for trial. Once I have paper again (if ever) I will prepare motions to dismiss the indictment for (1) violations of ~~the~~ discovery production as required by

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Fed R. Crim. P. 16 - due to the government's discovery delays, I was unable to meet the pretrial motions deadlines, the CIPA deadlines, will be unable to meet the experts disclosures deadline, am currently unable to prepare for trial, and without 6 yrs of work product will never be prepared for trial (ii) violation of the Speedy Trial Act which stipulates trial must take place within 70 days - and the Second Circuit has recently reiterated this mandate especially when continually requested by the defendant and counsel and notwithstanding vague references to the STA's exceptions without particularity and specific circumstances; and (iii) the corresponding constitutional violations.

You will of course deny the motions, and at trial I will move for a mistrial as I will be unable to present exhibits, call witnesses, cross-examine government witnesses, or make arguments.

The record is clear for the Court of Appeals.

The Court should schedule a pretrial conference ASAP to address these issues and postpone the expert disclosure deadline until after I have been provided with discovery and given an opportunity to discuss the discovery with my experts.

Josh Schulte

5/15/23

JS

Out of paper again see reverse →
United States v. Joshua Adam Schulte, S3 17 Cr. 548 (JMF)

Government Exhibit List

GX	Description	Source	Date Identified	Date Admitted
1206	Disc containing GX 1206-1 through GX 1206-3	Device E0018		
1206-1	Photo 1 of NetApp server containing 24 hard drives	Device E0018		
1206-2	Photo 2 of NetApp server containing 24 hard drives	Device E0018		
1206-3	Photo 3 of NetApp server containing 24 hard drives	Device E0018		
1207	Disc containing GX 1207-1 through GX 1207-87 and GX 1207-92 through GX 1207-99	Device E0018		
1207-1	Tufus priv.ppk accessed on 2016.04.16 in DevLAN_shuljo Home Folder	Device E0018		
1207-2	Rufus keys in Schulte's home folder private key in DevLAN_shuljo Home Folder	Device E0018		
1207-3	Rufus keys in KP's home folder public key in DevLAN_shuljo Home Folder	Device E0018		
1207-4	Confluence 2016.04.16 backup file listing	Device E0018		
1207-5	Confluence 2016.04.16 2016.04.25 backup file listing hash	Device E0018		
1207-6	Confluence 04-25-16 backup file listing	Device E0018		
1207-7	Confluence 2016.04.16 authorized keys	Device E0018		
1207-8	Confluence Fstab Altabackup MountPoint	Device E0018		
1207-9	2016.04.16 Confluence	Device E0018		
1207-10	2016.04.16 Password Shadow Confluence	Device E0018		
1207-11	2016.04.16 Password Shadow Confluence	Device E0018		
1207-12	2016.04.16 Schulte Last Login Confluence btmp	Device E0018		
1207-13	2016.04.16 Schulte Last login Confluence wtmp	Device E0018		
1207-14	2016.04.16 E0018-DE-INF Confluence 1	Device E0018		
1207-15	2016.04.16 E0018-DE-INF Confluence 2	Device E0018		
1207-16	2016.04.16 Confluence backup.py	Device E0018		
1207-17	2016.04.16 Confluence backup.sh	Device E0018		
1207-18	2016.04.25 Confluence authorized keys	Device E0018		
1207-19	2016.04.25 Confluence	Device E0018		
1207-20	2016.04.25 Password Shadow Confluence 1	Device E0018		
1207-21	2016.04.25 Password Shadow Confluence 2	Device E0018		
1207-22	2016.04.25 Schulte Last Login Confluence btmp	Device E0018		
1207-23	2016.04.25 Schulte Last Login Confluence wtmp	Device E0018		
1207-24	2016.04.25 E0018-DE-INF Confluence	Device E0018		
1207-25	2016.04.25 E0018-DE-INF Confluence lastb	Device E0018		
1207-26	2016.04.25 Failed Login to Confluence auth log 1	Device E0018		
1207-27	Confluence 01 in fs 01 altabackup vault_clone	Device E0018		

As of May 13, 2022

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NEW YORK NY 100
23-79471054-MOS2023 PMAbl



USMP U.S. v. Schulte, 17 CR 548 (MFJ)
Case Intake Office
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500 Pearl Street
New York NY 10007

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